

FORM PTO-1390
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

MAT-8124US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/807706

INTERNATIONAL APPLICATION NO.
PCT/JP00/05490

INTERNATIONAL FILING DATE
17 August 2000 (17.08.00)

PRIORITY DATE CLAIMED
20 August 1999 (20.08.99)

TITLE OF INVENTION
ACTIVE NOISE CONTROL SYSTEM

APPLICANT(S) FOR DO/EO/US
Toshihiko OHASHI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (UNEXECUTED).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern documents(s) or information included:

11. ☒ An Information Disclosure Statement under 37 U.S.C. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

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21. ☒ The following fees are submitted:
BASIC NATIONAL FEE (37 CFR 1.492(a)(1) – (5)):

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1000.00

☒ International preliminary examination fee (37 CFR 1.482)not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$860.00

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00

☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00

☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
CLAIMS	NUMBER FILED	EXTRA NUMBER	RATE
Total claims	14- 20 =	0	X \$18.00
Independent claims	1 - 3 =	0	X \$80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable) <input type="checkbox"/>		+ \$270.00	\$
TOTAL OF ABOVE CALCULATIONS =		\$ 860.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$	
SUBTOTAL =		\$ 860.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(f)).		+	\$
TOTAL NATIONAL FEE =		\$ 860.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+	\$
TOTAL FEES ENCLOSED =		\$ 860.00	
		Amount to be refunded:	\$
		Charged:	\$

a. ☒ A check in the amount of **\$860** to cover the above fees is enclosed.

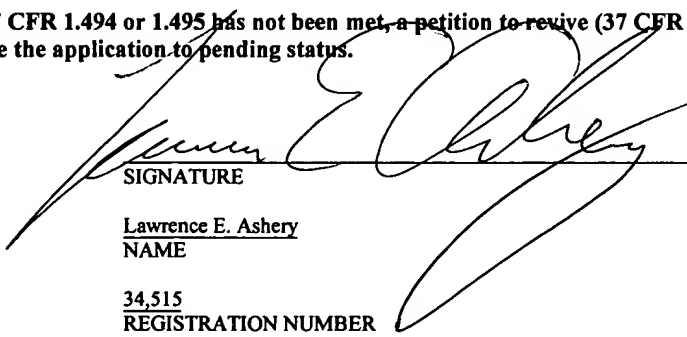
b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **18-0350**. A duplicate copy of this sheet is enclosed.

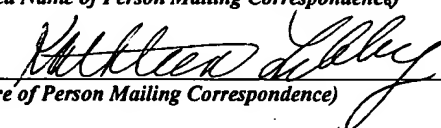
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
Lawrence E. Ashery
Ratner & Prestia
P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700



SIGNATURE
Lawrence E. Ashery
NAME
34,515
REGISTRATION NUMBER
April 17, 2001
DATE

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): T. Ohashi		Docket No. MAT-8124US	
Serial No. 09/807706 To Be Assigned	Filing Date Herewith	Examiner	Group Art Unit
Invention: ACTIVE NOISE CONTROL SYSTEM			
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>PCT National Stage Application and its enclosures</p> </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on</p> <p style="text-align: center;"> <u>April 17, 2001</u> <i>(Date)</i> </p> <div style="text-align: right; margin-top: 20px;"> <p><u>Kathleen Libby</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <p><u></u> <i>(Signature of Person Mailing Correspondence)</i></p> <p><u>EL 835671136 US</u> <i>("Express Mail" Mailing Label Number)</i></p> </div>			
<p>Note: Each paper must have its own certificate of mailing.</p>			